IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 10825 of 2004

Between:

Dr. K. Haridas S/o. K. Ramachandra Rao,

Flat No. 204, Sai Abhishek Residency, Opp. Ahobilam Mutt, Durgabai Deshmukh Colony, Bagh Amberpet, Hyderabad.

..... PETITIONER

AND

1 The Director of Medical Education of A.P., Koti, Hyd.
2 Dr. P. Krishna Prasad, S/o. Not Known,
Andhra Medical College, Visakhapatnam.

3. The Honourable APAT, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records relating to the order Dt. 22.6.2004 in OA.SR. No. 6886 of 2004 on the file of the APAT, Hyderabad, and quash the same and further, declare the action of the respondent no. 1 in proposing to issue promotion as professor in Opthamology, to the second respondent ignoring the seniority of the petitioenr as arbitrary, illegal and consequently direct the respondent No.1 to promote the applicant as professor of Opthamology forthwith.

Counsel for the Petitioner :MR.ANDAPALLI SANJEEV KUMAR

Counsel for the Respondents :GP FOR HIGHER EDUCATION

The Court made the following :

O R D E R:(per Sri Justice G. Bikshapathy)

The writ petition is filed challenging the order passed by the A.P. Administrative Tribunal(for short Tribunal) in O.A.S.R.NO.6886 OF 2004 DATED 22-06-2004.

The O.A. was filed for a direction to the respondents to consider his case for promotion in response to the representations made on 19-09-2003 and 22-03-2004. The tribunal has rejecting the application on the ground that he had already filed an application on earlier occasion and the same was disposed of and thus observed as follows:

The applicant has filed O.A.No. 2722 of 2004 praying this Tribunal to dispose of the representations dated 19-09-2003 and 22-03-2004. Though the above O.A. was disposed of with a direction to the respondents to examine the representations dated 19-09-2003 and 22-03-2004 and pass appropriate orders in the matter of promotion, if he is otherwise eligible, qualified and comes within the zone of consideration within a period 9of four weeks from the date of receipt of a copy of that order, the present O.A. is filed seeking similar relief as sought for by him in the above O.A.No. 2722/2004.

After hearing the learned Counsel appearing for the petitioner, we are unable to convince that the Tribunal has committed any error in passing the above order. Thus we do not find any ground to interfere with the same.

Acccordingly the Writ Petition is dismissed. However we make it clear that it is open to the petitioner to challenge the final orders if any passed by the authorities before appropriate forum. No costs.

29-06-2004.

To

1. The Director of Medical Education of A.P., Koti, Hyderabad.
2. The Associate Professor of Opthamology,
   Andhra Medical College, Visakhapatnam.
3. The Registrar, Honourable APAT, Hyderabad.
4. Two CCs to Government Pleader for Medical & Health(OUT)
5. Two CD copies.

RNS